

STATE OF MICHIGAN  
COURT OF APPEALS

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LYNETTE LEDWIDGE,

Plaintiff-Appellant,

v

ISAAC LAMONT CANFIELD,

Defendant-Appellee.

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UNPUBLISHED

April 23, 2002

No. 228490

Oakland Circuit Court

LC No. 98-010352-NI

Before: Gage, P.J., and Griffin and G. S. Buth\*, JJ.

MEMORANDUM.

The circuit court dismissed plaintiff's automobile negligence action against defendant based on her failure to show a serious impairment of body function as required by MCL 500.3135(1). Plaintiff appeals as of right. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Plaintiff argues the circuit court erred by dismissing her claim, asserting the evidence showed that she sustained objectively manifested injuries, which seriously impaired a body function. We find no error. While there may be a dispute regarding the nature or extent of plaintiff's injuries, that dispute was not material to determining whether plaintiff suffered a serious impairment of body function. Because there was not an "outcome-determinative genuine factual dispute, the issue of threshold injury [was] a question of law for the court." MCL 500.3135(2)(a); *Kern v Blethen-Coluni*, 240 Mich App 333, 343; 612 NW2d 838 (2000). Regardless of the nature of plaintiff's initial injuries, the record presented to the circuit court established that plaintiff's alleged injuries did not seriously affect her ability to lead her normal life. Plaintiff was never hospitalized and did not undergo surgery to correct her condition. She was treated with a neck brace and a variety of physical therapies. Disability, if any, was short lived and any pain or residual impairment did not affect her general ability to lead her normal life. MCL 500.3135(7); *Miller v Purcell*, 246 Mich App 244; 631 NW2d 760 (2001).

Affirmed.

/s/ Hilda R. Gage

/s/ Richard Allen Griffin

/s/ George S. Buth

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\* Circuit judge, sitting on the Court of Appeals by assignment.